

1 Jeff Silvestri, Esq. (NSBN 5779)
2 Karyna M. Armstrong, Esq. (NSBN 16044)
3 MCDONALD CARANO LLP
4 2300 West Sahara Avenue, Suite 1200
5 Las Vegas, Nevada 89102
6 Telephone: (702) 873-4100
7 jsilvestri@mcdonaldcarano.com
8 karmstrong@mcdonaldcarano.com

9 *Attorneys for Defendant Capital One, N.A.,*
10 *erroneously sued as "Capital One Bank, USA,*
11 *N.A."*

12 **UNITED STATES DISTRICT COURT**
13 **DISTRICT OF NEVADA**

14 GAIL BELCHER,

15 Plaintiff,

16 v.

17 EXPERIAN INFORMATION SOLUTIONS,
18 INC.; TRANS UNION, LLC; AMERICAN
19 EXPRESS, INC.; CAPITAL ONE BANK USA,
20 N.A.; SYNCHRONY FINANCIAL dba
21 SYNCB/AMAZON; and DISCOVER
22 FINANCIAL SERVICES, INC.

23 Defendants.

Case No. 2:23-CV-00072-CDS-NJK

24 **ORDER TO**
25 **EXTEND TIME TO RESPOND TO**
26 **COMPLAINT**

27 **(SECOND REQUEST)**

28 Pursuant to Local Rule 6-1 and 6-2, defendant Capital One, N.A., successor by merger to Capital One Bank (USA), N.A., erroneously sued as "Capital One Bank, USA, N.A." ("Capital One"), and plaintiff Gail Belcher ("Plaintiff") (collectively, "Parties"), by and through their counsel of record, hereby submit this Stipulation and Order to Extend Capital One's Time to Respond to the Complaint by fourteen (14) days, as follows:

29 **WHEREAS:**

- 30 1. Plaintiff filed the Complaint in this matter on January 12, 2023;
- 31 2. Plaintiff caused a copy of the Summons and Complaint to be served on Capital One on January 18, 2023, which provided for a responsive pleading deadline of February 8, 2023;
- 32 3. On February 7, 2023, the Court entered an Order granting the Parties' first stipulation to extend Capital One's responsive pleading deadline to March 10, 2023 (*See* Doc. 15);

1 4. The Parties agree that a further extension of time for Capital One to file its
2 responsive pleading to the Complaint would benefit both Parties because it will allow them to
3 continue to gather additional facts and information while continuing to devote their resources to
4 exploring the potential for early resolution of this matter before incurring further fees and costs;

5 5. The Parties have conferred and agree the request is made in good faith and not for
6 the purposes of unnecessary delay;

7 6. Capital One and Plaintiff have agreed to extend Capital One's deadline to respond
8 to Plaintiff's Complaint by fourteen (14) days to March 24, 2023;

9 7. This is the second extension sought in connection with this deadline;

10 8. Neither Plaintiff nor any other party to this action will be prejudiced by the Court
11 granting Capital One the requested relief.

12 **NOW, THEREFORE, IT IS HEREBY STIPULATED THAT:**

13 Capital One's time to file a responsive pleading to Plaintiff's Complaint is extended. Capital
14 One shall file its responsive pleading to Plaintiff's Complaint on or before March 24, 2023.

15 DATED: March 8, 2023.

16
17 DATED: March 8, 2023

18 FREEDOM LAW FIRM

19 By: /s/ Gerardo Avalos

20 George Haines (NSBN 9411)
21 Gerardo Avalos (NSBS 15171)
22 8995 S. Eastern Ave., Ste. 350
23 Las Vegas, Nevada 89123
24 ghaines@freedomlegalteam.com
25 gavalos@freedomlegalteam.com

26 Attorneys for Plaintiff Gail Belcher

27 DATED: March 8, 2023

28 MCDONALD CARANO LLP

 By: /s/ Karyna M. Armstrong

 Jeff Silvestri (NSBN 5779)
 Karyna M. Armstrong (NSBN 16044)
 2300 West Sahara Avenue, Ste. 1200
 Las Vegas, Nevada 89102
 jsilvestri@mcdonaldcarano.com
 karmstrong@mcdonaldcarano.com

 Attorneys for Defendant Capital One, N.A.,
 erroneously sued as "Capital One Bank,
 USA, N.A."

IT IS SO ORDERED:


 UNITED STATES MAGISTRATE JUDGE

 March 9, 2023

 DATED: _____